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4 Attorney for Defendant ELIZABETH A. HOLMES

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6 UNITED STATES DISTRICT COURT  
7 NORTHERN DISTRICT OF CALIFORNIA  
8 SAN JOSE DIVISION

9 UNITED STATES OF AMERICA, ) Case No. CR-18-00258-EJD  
10 Plaintiff, )  
11 v. ) **DECLARATION OF JOHN D. CLINE IN  
12 ELIZABETH HOLMES and SUPPORT OF MS. HOLMES' NOTICE OF  
13 RAMESH "SUNNY" BALWANI, OBJECTION TO TX 167**  
14 Defendants. )  
15 ) Hon. Edward J. Davila  
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DECLARATION OF JOHN D. CLINE IN SUPPORT OF MS. HOLMES' NOTICE OF OBJECTION  
TO TX 167  
CR-18-00258 EJD

1 I, JOHN D. CLINE, declare as follows:

2 1. I represent Defendant Elizabeth Holmes in the above-captioned matter. I submit this  
3 declaration in support of Ms. Holmes' Notice of Objection to TX 167.

4 2. Attached to this declaration are 3 exhibits.

5 3. The contents of the exhibits are as follows:

6 a. Exhibit 1 is a true and correct copy of TX 167, a document dated December 31,  
7 2008 and Bates-stamped PFE0000043.

8 c. Exhibit 2 is a true and correct copy of TX 143, an email between Elizabeth  
9 Holmes, Dr. Aidan Power, Craig Lipset, and Marc Thibbonnier and attachment, dated October 11, 2008,  
10 and Bates-stamped THER-2605305.

11 e. Exhibit 3 is a true and correct copy of an August 24, 2021 Memorandum of  
12 Interview of Dr. Shane Weber, Bates-stamped US-REPORTS-0034798.

13 I declare under penalty of perjury that the foregoing is true and correct.

14 Executed this 18th day of October 2021 in San Jose, CA.

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JOHN D. CLINE  
Attorney for Elizabeth Holmes